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Title/Titre

IMPORT REQUIREMENTS FOR INVERTEBRATES AND MICROORGANISMS

Our File/Notre référence
3525-10B2, 3525-15-1
3525-15-1-1, 3525-15-2
3525-15-3, 3525-15-4

I. SUBJECT

This directive contains the Plant Protection Division requirements for the importation into Canada of living invertebrates (including insects, mites, millipedes, terrestrial molluscs, nematodes) and microorganisms (including bacteria, fungi, viruses), including those expressing novel traits introduced through biotechnology.

This directive supersedes D-95-24, dated November 20, 1995.

II. BACKGROUND

In the past, almost all living invertebrates and microorganisms were imported under a Permit to Import issued by the Plant Protection Division of Agriculture and Agri-Food Canada (AAFC).

A policy review was conducted, prior to the development of this directive, to reassess the biological justification for the requirement for Permits to Import under the *Plant Protection Act and Regulations*, i.e. establish whether specific invertebrates and microorganisms fall within the mandate of the *Plant Protection Act and Regulations*, and pose a quarantine pest risk to Canada.

III. LEGISLATIVE AUTHORITY

Plant Protection Act, s.c. 1990, c.22
Plant Protection Regulations, SOR/95-212
Plant Protection Fees Regulations, SOR/95-218

IV. REGULATED COMMODITIES

All living invertebrates and microorganisms injurious or potentially injurious, whether directly or indirectly, to plants or to products or by-products of plants, and are considered to pose a quarantine pest risk to Canadian agriculture and forestry. (See Section XI for the definition of quarantine pest.) These include invertebrates and microorganisms other than those specified in Section V, and includes insects, mites, millipedes, terrestrial molluscs, earthworms, nematodes, bacteria, fungi, protozoa, viruses, DNA/RNA related to viruses and viroids, and invertebrates and microorganisms expressing novel traits introduced through biotechnology.

V. COMMODITIES EXEMPT

Invertebrates and microorganisms that have been determined through pest risk analysis (PRA) not to pose a quarantine risk (listed in Appendix 1), and organisms registered as fertilizers and biological control agents. Appendix 1 will be revised from time to time, on an ongoing basis. Up to date information can be obtained from the Permit Office of the Plant Protection Division at any time.

VI. REGULATED AREAS

All countries.

VII. IMPORT REQUIREMENTS

A Permit to Import issued under the *Plant Protection Regulations* is required to import the regulated commodities (see Section IV). This requirement also encompasses invertebrates or microorganisms derived through biotechnology (e.g., genetically engineered) and/or organisms that are biocontrol agents. Importers are required to complete a Plant Protection "Application for Permit to Import" form which can be obtained from any local office of AAFC's Food Production and Inspection Branch.

A Permit to Import **is not** required to import commodities described in Section V.

To facilitate processing and handling by Customs Canada, importers should advise their exporters that the material must be described on the shipping documents and **must** comply with requirements of other regulatory agencies, where applicable (see Section X for other

requirements). For material that does not require a Permit to Import, the shipping documents must include the declaration that “this shipment containing _____ is not subject to the Plant Protection Program’s import requirements”.

N.B. If uncertainty exists as to whether the organism is exempted as described in Section V, the importer should submit an Application for Permit to Import. The application will be reviewed by the Permit Office to determine if the organism requires a Permit to Import and the importer will be advised accordingly.

In completing a Plant Protection “Application for Permit to Import” form, it is essential that the description of the material be fully completed.

At a minimum, information supplied in the “Description” section of the “Application for Permit to Import” form must include:

- a) the type of organism (e.g., insect, bacterium, etc.);
- b) the scientific name (genus and species), synonyms and common names, and any other information that serves to identify the organism as specifically as possible (including subspecies, race, strain and genetic modification code, where appropriate);
- c) the country and locality where the organism was originally collected from nature;
- d) if genetically altered, a description of the novel traits (including altered pathogenicity) and/or DNA inserts;
- e) a description of any host material, substrate, medium or other organism that will accompany the organism;
- f) the quantity of material to be imported;
- g) the intended use of the organism.

Additional information may be requested, depending on the end use (e.g., the approval for importation and experimental release of unregistered biological control agents may require specific additional information on survival and environmental impact). All information provided in conjunction with permit applications will be kept in strict confidence by AAFC.

N.B. Importers are reminded that all consignments must be packaged in sturdy leak proof containers, or as directed by the conditions specified on the Permit to Import, to prevent inadvertent escape of the organisms.

VIII. INSPECTION PROCEDURES

All material passing through customs is subject to inspection and audit.

IX. NON-COMPLIANCE

- A) Shipments of regulated articles not meeting Canadian import requirements, as specified in this directive or as part of the permit

conditions, may be refused entry, confiscated and destroyed, or ordered removed from Canada at the importer's expense.

- B) Records of importation must be maintained by the importer and may be reviewed by AAFC on a regular basis. AAFC reserves the right to prohibit shipments of regulated commodities from any country if it is not satisfied that shipments from that country can meet the Canadian import requirements.

X. OTHER REQUIREMENTS

Importers must meet any import requirements under other Acts and regulations such as the *Dairy, Fruit and Vegetable Regulations* under the *Canada Agricultural Products Act*, the *Health of Animals Act*, *Feeds Act*, *Fertilizers Act*, *Seeds Act*, *Pest Control Products Act* and the regulations made under those Acts as well as Acts and regulations under the Departments of Health Canada and Environment Canada and any province. In addition, invertebrates or microorganisms that are intended for release into the environment (e.g., for research field testing), may be subject to other "release" regulations under such Acts as the *Feeds Act*, *Fertilizer Act*, *Seeds Act*, *Pest Control Product Act*, *Health of Animals Act*.

Any importer wishing more information may contact the local Food Production and Inspection Branch Offices of AAFC.

XI. DEFINITIONS

QUARANTINE PEST - A pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and being officially controlled. (*FAO, revised. NAPPO 1991.*) (*North American Plant Protection Organization Compendium of Phytosanitary Terms. January 1995.*)

XII. FEES

As of May 1, 1995, fees are being charged by AAFC for Permits to Import, verification of import documents and product inspection in accordance with the *Plant Protection Fees Regulations*. Importers requiring more information on fees may contact any local Food Production and Inspection offices of AAFC.

XIII. LIST OF APPENDICES

Appendix 1: Invertebrates and
 microorganisms that do not
 require a Plant Protection Permit
 to Import

Dr. J.E. Hollebhone
Director
Plant Protection Division

Attachment

APPENDIX 1

INVERTEBRATES AND MICROORGANISMS THAT DO NOT REQUIRE A PLANT PROTECTION PERMIT TO IMPORT:

<http://www.inspection.gc.ca/english/plaveg/oper/orglste.shtml>